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13 [ADDITIONAL COUNSEL LISTED IN  
14 SIGNATURE BLOCK]

15 **UNITED STATES DISTRICT COURT**  
16 **SOUTHERN DISTRICT OF CALIFORNIA**  
17 **SAN DIEGO DIVISION**

18 JENNIFER RODRIGUEZ and JOHN  
19 TAURO, Individually and on behalf of  
all others similarly situated,

20 Plaintiffs,

21 v.

22 ALLIED INTERSTATE, LLC,  
23 Defendant.

Case No. 3:13-cv-00388-DMS-JMA

**STIPULATION AND JOINT  
MOTION WITH RESPECT TO  
EXPERT DISCLOSURE  
DEADLINES**

Courtroom: 13-A  
Judge: Hon. Dana M. Sabraw

Pursuant to Local Rule 7.1(g)(2), Plaintiff Jennifer Rodriguez (“Rodriguez” or “Plaintiff”) and Defendant Allied Interstate, LLC (“Allied” or “Defendant”) (together, with Plaintiff, the “Parties”), through their undersigned counsel, hereby stipulate to, and jointly move this Court for an order (a) setting the expert disclosure deadline (excluding class certification issues) to be served on or before June 9, 2014; (b) setting the rebuttal disclosure deadline to be served on or before June 30, 2014; (c) setting July 25, 2014 as the deadline for the completion of all discovery, including expert discovery; and (d) setting August 22, 2014 as the deadline for all motions (excluding motions to amend or join parties, Plaintiffs’ motion for class certification, or motions in limine). A Proposed Order is submitted herewith.

As grounds for this Joint Motion, Plaintiff and Defendant stipulate and agree as follows:

1. On June 14, 2013, the Court entered a Scheduling Order governing this action (ECF No. 19). Among other deadlines, the Scheduling Order set March 7, 2014 as the deadline for expert disclosures (excluding class certification experts) and April 4, 2014 as the deadline for any rebuttal expert disclosures. Order at 2. The Order stated that all discovery must be completed on or before May 9, 2014 and that all motions (excluding motions to amend or join parties, Plaintiffs’ motion for class certification, and motions in limine) shall be filed on or before June 13, 2014. *Id.* at 3.<sup>1</sup>

2. On December 23, 2013, the Court entered an order granting the parties’ Joint Motion to Continue Hearing Date and Briefing Schedule on Plaintiff’s Motion for Class Certification (ECF No. 46). The Court set February 21, 2014 as the hearing date for Plaintiff’s motion or class certification.

<sup>1</sup> The Scheduling Order set December 13, 2013 as the deadline for Plaintiff’s motion for class certification. Order at 2. Thus, the Scheduling Order originally contemplated that these events would occur after resolution of Plaintiff’s Motion for Class Certification.

1           3.     On February 5, 2014, the Court again continued the briefing schedule  
2 and hearing date on Plaintiff's motion for class certification to grant Plaintiff an  
3 opportunity to take depositions of four individuals (ECF No. 62). The Court  
4 continued the hearing date on Plaintiff's motion for class certification to April 4,  
5 2014.

6           4.     In light of the April 4, 2014 hearing date on Plaintiff's motion for class  
7 certification, the parties respectfully request the Court delay the upcoming expert  
8 disclosure deadlines until after the resolution of Plaintiff's motion for class  
9 certification. Such an extension is necessary because the Court's ruling on class  
10 certification will define the scope of Plaintiff's claims and remaining issues for trial.  
11 Accordingly, the parties propose the Court set the following dates:

- 12               a. Expert disclosures (excluding class certification issues) required by  
13               Fed. R. Civ. P. 26(a)(2) shall be served on all parties on or before  
14               June 9, 2014.
- 15               b. Any contradictory or rebuttal information shall be disclosed on or  
16               before June 30, 2014.
- 17               c. All discovery, including expert discovery, shall be completed by all  
18               parties on or before July 25, 2014.
- 19               d. All motions (excluding motions to amend or join parties, Plaintiffs'  
20               motion for class certification, or motions in limine) shall be filed on  
21               or before August 22, 2014.

22           5.     The relief sought by this Joint Motion will not unduly delay this case or  
23 alter the trial date in this Court's Scheduling Order (ECF No. 19), which is currently  
24 scheduled for December 8, 2014.

25           6.     Against this background, there is good cause for entry of the requested  
26 Proposed Order and no party will be prejudiced by it.

27           WHEREFORE, for all the foregoing reasons, the parties respectfully request  
28 this Court (a) set the expert disclosure deadline (excluding class certification issues)

as June 9, 2014; (b) set the rebuttal disclosure deadline as June 30, 2014; (c) set July 25, 2014 as the deadline for the completion of all discovery, including expert discovery; (d) set August 22, 2014 as the deadline for all motions (excluding motions to amend or join parties, Plaintiffs' motion for class certification, or motions in limine); and (e) enter the Proposed Order submitted herewith.

Respectfully submitted,

Dated: March 4, 2014

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**PROOF OF SERVICE**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is: 601 South Figueroa Street, 41st Floor, Los Angeles, CA 90017.

On **March 4, 2014**, I served the following documents by placing a true copy thereof in a sealed envelope(s) on the persons below as follows:

**STIPULATION AND JOINT MOTION WITH RESPECT TO EXPERT DISCLOSURE DEADLINES**

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☒ (CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed above by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(d)(1). "A Notice of Electronic Filing (NEF) is generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof of service as required by Fed.R.Civ.P.5(d)(1). A copy of the NEF shall be attached to any document served in the traditional manner upon any party appearing pro se."

I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction this service was made and that the foregoing is true and correct.

Executed on **March 4, 2014**, at Los Angeles, California.

Britani N. Naisbitt  
(Type or print name)



(Signature)